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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Letter dated 26 June 2014 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Co-Chairs of the International Conference on Migration and Statelessness: Identifying Challenges and the Way Forward, which was held in Ashgabat on 23 and 24 June 2014 (see annex).

The Conference, which was hosted by the Government of Turkmenistan and co-organized by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration, identified best practices for addressing situations of statelessness and for improving the management of migration in Central Asia and globally.

The Forum focused on identifying practical measures to realize the agendas for migration and statelessness set out in the 2013 High-level Dialogue on International Migration and Development and the 2009 Regional Conference on Prevention and Reduction of Statelessness and the Protection of Stateless Persons in Central Asia.

Migration is a key global issue, with the number of international migrants reaching an unprecedented 232 million in 2013 and projected to rise to 405 million by 2050. Central Asia is a major migration crossroads, and regional economies and societies are strongly affected by human mobility.

Turkmenistan has achieved considerable progress with regard to the reduction and prevention of statelessness. In the period of 2011-2013, Turkmenistan granted citizenship to almost 4,000 stateless people. On the eve of the Conference, 786 stateless persons were granted Turkmen citizenship by the decree of the President.

In 2014, the international community marks the sixtieth anniversary of the 1954 Convention relating to the Status of Stateless Persons. In that regard, UNHCR is launching a global campaign in September 2014 aimed at the elimination of statelessness within the next decade.

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The outcome of the International Conference on Migration and Statelessness is one of the valuable contributions to international efforts to tackle pressing challenges in the areas of migration and statelessness.

I would be very grateful if you would circulate the present letter and its annex as a document of the sixty-eighth session of the General Assembly, under agenda item 62.

(*Signed*) Aksoltan **Ataeva**
Permanent Representative

Annex to the letter dated 26 June 2014 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

Statement by the Co-Chairs of the International Conference on Migration and Statelessness: Identifying challenges and the way forward (23 and 24 June 2014, Ashgabat)

The International Conference on Migration and Statelessness, which took place in Ashgabat, Turkmenistan, on 23 and 24 June 2014, was hosted by the Government of Turkmenistan and organized jointly by the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to discuss key regional challenges in the two spheres, migration and statelessness, that had been identified as meriting further exploration and to propose the way forward in addressing them. The Conference built on the outcomes of previous discussions of these issues, notably the 2013 High-level Dialogue on International Migration and Development and the 2009 Regional Conference on Prevention and Reduction of Statelessness and Protection of Stateless Persons in Central Asia.

On migration, the Conference:

Highlights the importance of the United Nations General Assembly High-level Dialogue on International Migration and Development in advancing inter-State dialogue and cooperation on migration issues and also the significant progress in addressing migration as a global phenomenon made at the second High-level Dialogue on International Migration and Development, which was held in October 2013;

Reaffirms their commitment to the provisions of the Declaration of the High-level Dialogue on International Migration and Development, adopted in General Assembly resolution 68/4 on 3 October 2013, and the need to ensure its implementation;

Notes the convergence of views regarding the global significance of international migration for the development of countries of origin, transit and destination, the critical links between international migration and the economic, social and environmental aspects of development at the national, regional and international levels, and the relevance of migration for the post-2015 development agenda;

Acknowledges both positive and negative impacts of migration on development, recognizing that migration and migrants can contribute to inclusive and sustainable social and economic development, and to enhanced resilience and improved disaster preparedness in the face of climate change and environmental degradation, while noting that migration can also create new vulnerabilities and inequalities if poorly managed;

Notes the need to continue strengthening synergies between international migration and development. The following relevant measures were mentioned: ensuring that migration is adequately considered in the post-2015 development agenda by, inter alia, its inclusion in the goal of a new partnership for development, and also by factoring migration into local, national and regional development

strategies, poverty reduction strategies, health, labour and other sectoral policies and plans; and more systematically establishing synergies with related policy instruments, such as those for disaster risk reduction and climate change adaptation;

Reaffirms the need to continue efforts towards devising and implementing comprehensive migration management policies with full respect for human rights norms and obligations at the national, regional and international levels. Effective and comprehensive migration management and cooperation among countries of origin, transit and destination, and also with non-governmental stakeholders, were identified as necessary for ensuring orderly mobility with full respect for the human rights of all migrants and for addressing the challenges and realizing the opportunities of migration for development;

Recognizes the need to continue strengthening inter-State cooperation as well as cooperation with relevant non-State actors in addressing irregular migration, combating trafficking in persons and migrant smuggling, and protecting trafficked persons, in order to enhance public perceptions of migrants, provide assistance and support to migrants caught in crisis situations, improve the health of migrants and ensure safe and orderly migration with full respect for the human rights of migrants;

Acknowledges the importance of protecting the human rights of all migrants and their families both as an end in itself, and as a condition for harnessing the benefits of migration for migrants and societies. Accordingly, the commitment to universally recognized principles and norms of international law and the obligations of States under international treaties in the field of migration was reaffirmed. The readiness to continue undertaking efforts to enhance the protection of the human rights of all migrants and their families was noted. In this context, particular attention was drawn to the needs of vulnerable groups, such as children, youth and women, as well as migrants caught in crisis situations, to the strengthening of measures to eliminate migrant exploitation, including human trafficking, and also to manifestations and expressions of racism, discrimination and xenophobia and to negative public perceptions of migrants and migration;

Acknowledges the importance of the human mobility dimension of humanitarian crises, and the need to consistently factor it into the policies and measures aimed at crisis preparedness, response and measures to address the medium to long-term consequences of crises for individuals and States;

Recognizes that some groups of migrants experience increased health risks, and that improved migrant health would have benefits for migrants and their families, public health outcomes in countries of origin and destination and the overall positive development outcomes of migration. In this regard, the participants noted the need for strategies and policies to address migrants' health which would be sensitive to the specific health needs of women, men and children, and include promotion of migrant-sensitive health policies and equitable access to health services for migrants, subject to national laws and practice, without discrimination on the basis of gender, age, religion, nationality or race;

Welcomes the active efforts of Turkmenistan to develop cooperation with IOM. A vivid example of sustained partnership in this area is the accession of Turkmenistan to IOM, which was followed by the systematization of plans adopted jointly with IOM;

Welcomes the readiness of Turkmenistan to support the practical implementation of the outcomes of this Conference by proposing and initiating the relevant IOM resolution.

On statelessness, the Conference:

Recalls the global mandate of UNHCR and appreciate its efforts to increase awareness of and to resolve statelessness issues. It was further noted that 2014 marks the sixtieth anniversary of the 1954 Convention relating to the Status of Stateless Persons. In this context, UNHCR is launching a global campaign to end statelessness by 2024;

Notes that statelessness remains a major challenge in the twenty-first century across the globe. The global population affected is estimated to be at least 10 million people and the vast majority are in protracted situations of statelessness. Statelessness can result from State succession, nationality laws which discriminate on the basis of gender or ethnicity, arbitrary deprivation of nationality, conflict of laws, gaps in nationality laws which create statelessness at birth or later in life, and from administrative obstacles to the acquisition of identity and nationality documents;

Highlights that the participants described some key common challenges facing States in terms of statelessness across the region and beyond. In Central Asia, statelessness most frequently affects persons who did not acquire any nationality following the break-up of the Soviet Union, many of whom hold expired Soviet passports, and some stateless persons who arrived to the Central Asia region after 1991 from other countries of the Commonwealth of Independent States. Problems related to citizenship status and new cases of statelessness also continue to arise as a result of migration, for example owing to provisions for loss of nationality as a result of residency outside the country of nationality. New situations of statelessness have also arisen on account of requirements for lawful entry and departure and residence registration;

Notes that, at the global level, many States have already adopted effective strategies to reduce statelessness. Good examples of global best practices include nationality law reform in Côte d'Ivoire in 2013 to allow stateless people with deep roots in the country to acquire nationality through a simple declaration procedure, providing a potential solution for hundreds of thousands of stateless people. In the Russian Federation, some 600,000 stateless people are reported to have acquired nationality between 2002 and 2009 through a simplified naturalization procedure. In Brazil and Indonesia, the grant of citizenship to people left stateless by nationality laws in force in previous decades has been complemented by legislative reforms to prevent new cases of statelessness;

Recalls that the Regional Conference on Prevention and Reduction of Statelessness and the Protection of Stateless Persons in Central Asia was held in Ashgabat in 2009, following which the States in the region have taken a number of steps to reduce and prevent statelessness, including identification and registration of stateless persons and persons with undetermined nationality, reform of nationality legislation, as well as the grant and confirmation of nationality and issuance of nationality documents;

Notes tne significant progress made by the host Government, Turkmenistan, in addressing and resolving situations of statelessness. In 2011, Turkmenistan became

the first country in the region to become party to the 1954 Convention relating to the Status of Stateless Persons and in 2012, to the 1961 Convention on the Reduction of Statelessness. Following the accession, Turkmenistan also adopted a new law on citizenship. In 2011, a drive to register individuals with undetermined nationality was carried out by the State Migration Service with the support of UNHCR. The aim of the registration was to issue the persons with Turkmen nationality documents. As a result, between 2011 and 2014, close to 5,000 individuals were granted Turkmen citizenship through Presidential Decrees;

Commends the efforts being made by Kyrgyzstan. Kyrgyzstan adopted a new Citizenship Law in 2007, which recognizes as nationals all stateless former Soviet citizens who have resided in the country for more than five years. New regulations on citizenship procedures were also adopted. Since 2009, more than 65,000 former Soviet citizens have been issued with citizenship documents. This year, Kyrgyzstan has embarked on a further identification and documentation campaign for undocumented persons, with the ultimate goal of eliminating statelessness in Kyrgyzstan by 2016;

Reaffirms that reforms of nationality laws, policies and administrative practices are vital in resolving situations of statelessness and preventing new situations from arising. Examples of reforms to resolve existing situations include the establishment of simplified procedures for confirmation of nationality and issuance of nationality documents as well as facilitated acquisition of nationality for persons who are identified as stateless. Nationality laws that do not discriminate on the basis of gender or ethnicity and which include a safeguard ensuring that children are not born stateless, were mentioned as good examples of means to prevent statelessness through legislation;

Notes that further actions are required to ensure that stateless persons can enjoy their fundamental human rights, such as freedom from arbitrary detention and access to education and health care, including through grant of legal stay and issuance of identity documents reflecting their status as a stateless person;

Calls upon States and international organizations for further actions to address and resolve situations of statelessness. It was noted that, as a first step, mechanisms for identification of stateless persons often need to be improved, including through population census, surveys and registration campaigns. Establishment of formal statelessness status determination procedures was recognized as an important means of identification of statelessness in a migratory context. There was also broad recognition of the further need to explore multilateral and bilateral agreements among States to facilitate the sharing of information relating to applications for statelessness status and nationality determination;

Recognizes that the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness constitute the backbone of the international legal response to statelessness. The adoption of measures leading to accession to these Conventions by States that are not yet parties was highlighted as an important element of effectively addressing statelessness.

Finally, the Conference expresses support for cooperation mechanisms and partnerships among States and with other stakeholders, including United Nations agencies, regional organizations and civil society, in order to better prevent and reduce situations of statelessness and to protect stateless persons.

The Conference recommends that:

The outcomes of this conference should be addressed at other relevant regional and global forums on migration and on statelessness, such as the First Global Forum on Statelessness, which will be held in the Hague in September 2014, and the Global Forum on Migration and Development, which will take place in Istanbul in 2015, and also in the course of the regular annual meetings of IOM and UNHCR in Geneva, and should also be reflected in any decisions made at these meetings.